

**Notice of Allowability**

Application No.

10/779,453

Examiner

Charles Goodman

Applicant(s)

BOKELAAR ET AL.

Art Unit

3724

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 12/15/05.
2. ☒ The allowed claim(s) is/are 1,2,4-7,9-11 and 14-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**CHARLES GOODMAN**  
**PRIMARY EXAMINER**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John H. Thomas on March 6, 2006.

The application has been amended as follows:

In claim 1, line 2, after the term "table" at the end of the line, the phrase -- assembly -- has been inserted.

In claim 4, line 2, after the term "table", the phrase -- assembly -- has been inserted.

Claim 23 has been CANCELLED.

2. The following is an examiner's statement of reasons for allowance:

The prior art of record do not anticipate nor do they reasonably suggest the saw guide system and cutting table assembly as claimed in claims 1 and 14. The closest prior art, Break et al (US 5,473,968), teaches a tilting saw table comprising, inter alia, a cutting table assembly (e.g. 17) defining a substantially planar work surface; a tube (e.g. 60); a longitudinal slot (80); and a saw guide post (e.g. 56, 58 - interpreted in a reasonably broad manner). However, Break et al's tube lacks a longitudinal slot for the saw guide post to be slidably received therein as well as a rigidly attached nut of the saw assembly to receive the saw guide post. It is noted that the claimed hinged connection is reasonably and broadly read on the pivoting aspect of the subassembly (50). Note Figs.

Art Unit: 3724

1-1A. Another closely related prior art, Ito et al (US 5,357,834), teaches a miter saw comprising, inter alia, a cutting table assembly defining a substantially planar work surface (e.g. 3); a tubular structure near (14) in Fig. 1; a guide post (e.g. 18); and a saw assembly (e.g. 1) comprising a nut (e.g. 29). Note Figs. 1, 2 and 4. However, Ito et al's "tube" (14 or 15) is not located below the work surface, nor does Ito et al include a longitudinal slot that slidably receives a guide post. A further related prior art, Dobslaw (US 3,092,154), teaches a radial saw comprising, inter alia, a work surface (e.g. above 18 in Fig. 1); a tube (15); a slot (at 65 in Fig. 3); a saw guide post (e.g. 13); and a nut (e.g. above 12 in Fig. 1). Note Figs. 1-3. However, Dobslaw suffers from the same deficiency as Ito et al to the extent that the tube and frame is not below the work surface. In all instances, there is no teaching or suggestion in the prior art of record to modify the above mentioned references with the noted lacking features. Thus, it is believed that the lacking features in combination with all the other recited elements are allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Goodman whose telephone number is (571) 272-4508. The examiner can normally be reached on Monday-Thursday between 7:30 AM to 6:00 PM EST.


Art Unit: 3724

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap, can be reached on (571) 272-4514. In lieu of mailing, it is encouraged that all formal responses be faxed to **(571) 273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

cg 

March 6, 2006

  
**Charles Goodman**  
**Primary Examiner**  
**AU 3724**

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MARV